

REMARKS

Claims 1, 4-6, 8, 9, 11, 14-16, 18, 19 and 21-23 are all the claims pending in the application.

I. Summary of the Office Action

The Examiner has rejected claims 1, 4, 6, 8-9, 11, 14-15, 18-19 and 21-22 and claims 5 and 16 under 35 U.S.C. 103(a).

Claim 23 contains allowable subject matter.

II. Claim Rejection under 35 U.S.C. § 103

Claims 1, 2, 4, 6-9, 11, 12, 14, 15, 17-19, and 21-22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lennon et al. (US 2002/0107973), hereinafter "Lennon" in view of alleged Applicant's prior art (APA). Applicant respectfully traverses these grounds of rejections at least in view of the following exemplary comments.

Of these rejected claims, claims 1, 4, 11, 14, and 15 are independent. For example, claim 1 recites, *inter alia*, "a search module for locating a Uniform Resource Locator (URL) using a unique identifier, wherein the unique identifier is pre-assigned to each program and is in a format of the received external digital content metadata and without further conversion into the metadata peculiar to the network, identifies said URL, said URL accessing a program in the received external digital content metadata, wherein the digital content metadata received external to the network is TV-Anytime metadata, the digital content metadata peculiar to the network is Universal Plug and Play (UPnP) Content Directory service (CDS) metadata, and the unique identifier is a Content Reference Identifier (CRID)." It was previously argued that the prior art of record does not disclose or suggest the above-quoted, unique features of these claims. *See*

pages 9-10 of the Amendment dated November 16, 2011. It was also previously argued that one of ordinary skill in the art would not have combined the references. *See page 10 of November 16 Amendment.*

In response, in the *Response to Arguments* section of the Office Action, the Examiner asserts, in part:

The arguments are considered but are moot since Examiner is not quite clear about the recitation of "That is, there is no reason to combine the references as they would not produce format external to the network, as alleged by the Examiner".

In response, Applicant respectfully asserts, notwithstanding the Examiner's confusion, that the point that was being made was that the Examiner's rationale for combining the APA with Lennon, to make up for the alleged deficiency that Lennon does not teach converting TV-Anytime metadata into metadata particular to the network such as UPnP CDS metadata, is flawed. Specifically, the Examiner asserts that the APA discloses a need of metadata conversion between two popular TV-Anytime and UPnP forums. Applicant was simply pointing out that there would be no need for a conversion if Lennon was combined with the AAPA, as the combination would NOT produce a format external to the network. This actualization would cut against the Examiner's stated rationale for combining the two references.

Further, the Examiner still does not address the specific features that were added to claim 1 in the previous Amendment. Making reference to the interview of March 2, 2010, previously pending claim 2 (the subject matter of which is now incorporated in claim 1) contained allowable subject matter since the Examiner never found any new references in an updated search, and the claim 2 subject matter was incorporated into the independent claims in the November 16th Amendment. Accordingly, Applicant respectfully submits that the claimed invention should be indicated as allowed.

At least based on the foregoing, we would argue that claims 1, 2, 4, 6-9, 11, 12, 14, 15, 17-19, and 21-22 are patentably distinguishable over the applied art, alone or in combination.

Claims 5 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lennon and Applicant's prior art (AAPA), and further in view of Sie et al. (US 2002/0199188), hereinafter "Sie".

Applicant respectfully maintains that Sie, alone or in combination, fails to cure the above deficiencies of Lennon in view of the APA, and accordingly, the claims are patentable over the references for at least this reason.

III. Allowable Subject Matter

Claim 23 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

IV. Conclusion


In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.111
Appln. No.: 10/824,435

Attorney Docket No.: Q80481

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Nataliya Dvorson
Registration No. 56,616

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: April 29, 2011